

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND LANE,

Civ. Action No. 05-73273

Plaintiff,

District Judge Gerald E. Rosen

v.

Magistrate Judge R. Steven Whalen

A. VALONE, et.al.

Defendants.

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ORDER

On September 13, 2007, this Court conditionally granted Plaintiff's motion to appoint counsel, "conditioned on the Court's success on finding counsel willing to undertake representation in this case." After diligent efforts to do so, it now appears that the Court is unable to find *pro bono* counsel for Plaintiff. Furthermore, both Defendants and Plaintiff have filed summary judgment motions.

Accordingly, IT IS HEREBY ORDERED that this Court's order conditionally granting the appointment of counsel [Docket #42] is VACATED.

IT IS FURTHER ORDERED that Plaintiff's motion to appoint counsel [Docket #37] is DENIED WITHOUT PREJUDICE, pending resolution of the summary judgment motions.

IT IS FURTHER ORDERED that Plaintiff will file a response to the Defendants' motion for summary judgment on or before **JULY 7, 2008**.

IT IS FURTHER ORDERED that Defendants will file a response to the Plaintiff's

motion for summary judgment on or before **JUNE 30, 2008**.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: June 2, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 2, 2008.

S/G. Wilson
Judicial Assistant